

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - March 17, 1971

Appeal No. 10692 Washington D.C. Congregation of Jehovah's Witness, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of March 23, 1971.

ORDERED:

That the appeal for variance from rear yard, side yard, and lot occupancy requirements of R-5-A District to permit erection of church at 3350 D Street, S.E., Lots 2-4, Square 5431 be denied.

EFFECTIVE DATE - August 16, 1971

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The property is currently and unimproved Lot.
3. The appellant proposed to erect a church on the subject property (Exhibit 2).
4. The proposed church will accomodate approximately 200 people. The Lot is irregular in shape at the rear and the appellant alleges that the variance is necessary because 8 feet of the 60% occupancy requirement is taken away due to the irregular shape of the Lot.
5. No opposition was registered at the public hearing to the granting of the appeal.

OPINION:

We are of the opinion that the appellant has not proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties or undue hardship upon the owner.

Further, we hold that the requested relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulation and Map.

Appeal No. 10692
Page 2
August 16, 1971

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____
GEORGE A. GROGAN
Secretary of the Board